

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
03-CA-312362	2/17/2023

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Tesla, Inc.	b. Tel. No. 716-319-9600
	c. Cell No.
	f. Fax. No.
d. Address (Street, city, state, and ZIP code) 13101 Harold Green Rd., Austin, TX 78725 1339 South Park Ave., Buffalo, NY 14220	e. Employer Representative Elon Musk, CEO; (b) (6), (b) (7)(C) tesla.com; (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) tesla.com
	g. e-mail erm@tesla.com
	h. Number of workers employed 2,000
i. Type of Establishment (factory, mine, wholesaler, etc.) Factory	j. Identify principal product or service Renewable Energy Technology

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

In February 2023, immediately following workers announcing a union campaign at the Tesla Gigafactory 2 facility, the above-named employer, through CEO Elon Musk and/or his agents and representatives, caused the Union's Twitter account (@united_tesla) to be shadow banned from the Twitter platform. The shadow ban caused the Union's account to be less accessible and functionally hidden from workers and the public on Twitter, thereby stopping or discouraging protected concerted and/or union activity.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
Rochester Regional Joint Board, Workers United

4a. Address (Street and number, city, state, and ZIP code) 2495 Main St., Suite 556 Buffalo, NY 14214	4b. Tel. No. 585-473-3280
	4c. Cell No.
	4d. Fax No.
	4e. e-mail gbonadonnajr@rrjb.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
Workers United, a/w SEIU

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Ian Hayes, Attorney

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Hayes Dolce

Address 135 Delaware Ave., Suite 502, Buffalo, NY 14202

Date 2-16-23

Tel. No.
716-608-3427

Office, if any, Cell No.

Fax No.

e-mail
ihayes@hayesdolce.comWILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 3-CA-312267	Date Filed 2/16/2023

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer Tesla, Inc.		b. Telephone No. 716-319-9600	
		c. Certificate No.	
		f. Fax No.	
d. Address (Street, city, state, and ZIP code) 13101 Harold Green Rd., Austin, TX 78725 1339 South Park Ave., Buffalo, NY 14220		e. Employer Representative Elon Musk, CEO See Attachment	
		g. e-mail erm@tesla.com	
		h. Number of workers employed 2,000	
i. Type of Establishment (factory, mine, wholesaler, etc.) Factory		j. Identify principal product or service Renewable Energy Technology	
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See Attachment			
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Rochester Regional Joint Board, Workers United			
4a. Address (Street and number, city, state, and ZIP code) 2495 Main St., Suite 556 Buffalo, NY 14214		4b. Telephone No. 585-473-3280	
		4c. Certificate No.	
		4d. Fax No.	
		4e. e-mail gbonadonnajr@rrjb.org	
5. Full name of national or international labor organization of which it is an affiliate or constituent (to be filled in when charge is filed by a labor organization) Workers United, a/w SEIU			
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. /s/ Michael Dolce <i>(signature of representative or person making charge)</i>		Michael Dolce, Attorney <i>(Print/type name and title or office if any)</i>	
135 Delaware Ave., Suite 502, Buffalo, NY 14202 Address		February 15, 2023 Date	
		Telephone No. 716-912-3480 Office, if any, Certificate No. Fax No. e-mail mdolce@hayesdolce.com	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

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Attachment to Charge Against Employer

Section 1.e - Employer Representatives

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) [@tesla.com](#)

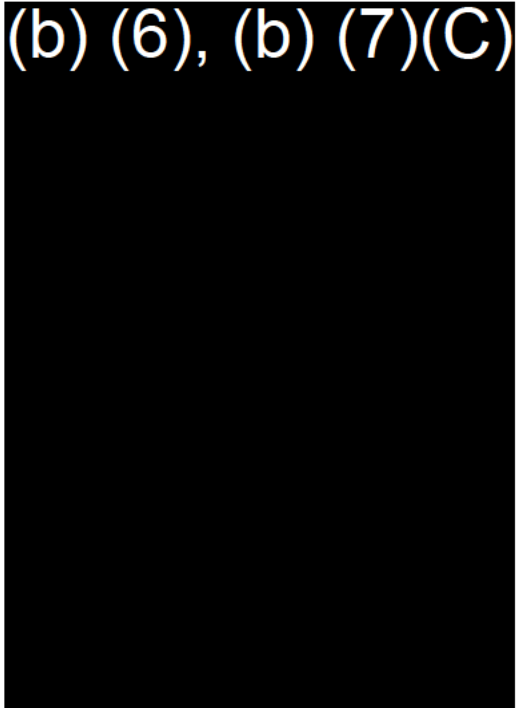
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) [@tesla.com](#)

Section 2 – Basis of Charge

On (b) (6), (b) (7) 2023, (b) (6), (b) (7) after workers announced their Union campaign at the Tesla Gigafactory 2 facility in Buffalo, New York, the above-named Employer terminated (b) (6), (b) (7) of individuals from its (b) (6), (b) (7)(C) Department, including but not limited to:

(b) (6), (b) (7)(C)



The above-named Employer terminated these individuals in retaliation for union activity and to discourage union activity.

The Union seeks injunctive relief under Section 10(j) of the Act to prevent irreparable destruction of employee rights resulting from Tesla's unlawful conduct.